

TITLE 7--AGRICULTURE  
CHAPTER III--BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE  
PART 301--DOMESTIC QUARANTINE NOTICES

GYPSY MOTH AND BROWN-TAIL MOTH QUARANTINE REGULATIONS MODIFIED

This revision of circular B. E. P. Q. 386 adds to the list of articles exempted from certification requirements, exfoliated or expanded vermiculite when packaged in closed containers, salal (known to the trade as lemon) cuttings, for ornamental use, and sawdust and shavings produced under certain prescribed conditions and so identified.

Wintergreen cuttings have been more specifically classified as to species.

§ 301.45a Administrative instructions; articles exempted from restrictions. Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.45, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 45, on account of the gypsy moth and brown-tail moth); the following articles, the interstate movement of which is not considered to constitute a risk of moth dissemination, are exempted from the restrictions of the regulations of this quarantine, effective November 20, 1942.

Acacia cuttings for ornamental use (Acacia spp.).

Banana stalks, when crushed, dried, and shredded.

Birch slabs for use as post cards.

Birch bark when waxed, polished, or otherwise treated to adequately eliminate all risk of transmitting infestation and when used in the manufacture of novelties.

Box shooks, when newly manufactured and planed on four sides.

Boxwood cuttings and branches for ornamental use (Buxus sempervirens).

Cable reels, when newly manufactured and empty.

California peppertree cuttings and branches for ornamental use (Schinus molle).

Clubmoss (sometimes called "ground pine") (Lycopodium spp.).

Cuttings of woody plants that have been grown in the greenhouse throughout the year, when labeled on the outside of the container to show that the contents were greenhouse grown.

Eucalyptus cuttings and branches for ornamental use (Eucalyptus globulus).

Evergreen smilax (Smilax lanceolata).

Fuchsia (Fuchsia spp.).

Galax (Galax aphylla).

Geranium (Pelargonium spp.).

Heather cuttings for ornamental use (Erica spp.; Calluna spp.).

Heliotrope (Heliotropium spp.).

Herbarium specimens, when dried, pressed, and treated,  
and when so labeled on the outside of each container.

Jerusalem-cherry (Solanum capsicastrum, S. pseudocapsicum, S. hendersoni).

Leaves of deciduous or evergreen trees that have been treated or dyed.

Mistletoe (Phoradendron flavescens, Viscum album, etc.).

Oregon huckleberry (Vaccinium ovatum).

Partridgeberry (Mitchella repens).

Salal, known to the trade as lemon cuttings, for ornamental use (Gaultheria shallon).

Sawdust that has been (1) produced in established, nonportable, commercial sawmills from boards or other timber previously sawed four sides, (2) subsequently blown through an air-blast conveyor line having a minimum length of 50 feet and at least one 45° or sharper angle, (3) protected from infestation prior to shipment, and (4) identified as specified below.

Shavings that have been either (1) produced by planers having 6 or more blades, or (2) blown through an air-blast conveyor line having a minimum length of 50 feet and at least one 45° or sharper angle; and in either case protected from infestation prior to shipment, and identified as specified below.

Invoices and waybills covering bulk carload or less-than-carload shipments of sawdust or shavings meeting these conditions for exemption shall bear thereon a notation to the effect that:

"The consignor guarantees that the contents of this shipment have been produced under conditions which entitle the material to exemption as specified in the Federal gypsy moth quarantine regulations or administrative instructions thereto."

Strawberry plants (Fragaria spp.).

Trailing arbutus (Epigaea repens).

Verbena (Verbena spp.).

Vermiculite (variously termed zonolite or mica-gro) when exfoliated or expanded and when packaged in closed containers.

Wintergreen for ornamental use (Gaultheria procumbens, Pyrola spp.).  
See also Salal.

Wood flour, pulverized wood, or ground wood sawdust, when processed by screening or sifting through a screen of at least 30 meshes per inch.

These instructions supersede the list of exempted articles contained in B. E. P. Q. 386, 6th revision, which became effective October 10, 1941.

(7 CFR § 301.45; sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 161.)

Done at Washington this 17th day of November 1942.

AVERY S. HOYT,  
Acting Chief